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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/813,611

03/29/2004

Theresa Harris

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EXAMINER

HERNANDEZ, JOSIAH J

ART UNIT

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2626

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/813,611	Applicant(s) HARRIS, THERESA	
	Examiner Josiah Hernandez	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/29/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 7 is objected to because of the following informalities: Claim 7 is a duplicate of claim 4. They have the same exact limitations and are dependent of the same claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 5, 6, 11-13, 15-17, 19, 22-29, and 31-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDowell (US 5,073,054) in view of Ukita et al. (US PGPub 2001/0048428).

As to claim 1, McDowell discloses an electronic dictionary (abstract lines 1 and 2) to fit in a credit card holder (dimensions are substantially similar to that of a credit card, column 2 lines 25-27), comprising: a flexible unitary housing configured to accommodate the flexing of a credit card holder (a semi-flexible

thin member is used, column 2 lines 24 and 25, preferably with a sturdy plastic out of Delrin or nylon, column 4 lines 52-54); a flexible display configured to display a plurality of words; and a flexible keyboard, the keyboard including keys corresponding to an alphabet (the whole body is flexible since it is one unitary body and if the body is flexible so is the keyboard and display of which is made from the body of the apparatus, column 1 lines 54-56 and column 2 lines 24-32).

McDowell does not specifically disclose an electronic dictionary comprising a height with substantially the same dimension as a credit card width and a length with substantially the same dimension as a credit card length. Ukita teaches a mobile device for the use of a dictionary (paragraph [0008]) that has the dimensions close to that of a credit card (figure 3).

Given the suggestion in Ukita that the exact dimensions of an electronic dictionary device are not critical to its operation, it would have been obvious to one of ordinary skill in the art to have modified the dimensions of the electronic dictionary taught by McDowell to be "substantially the same dimension as a credit card length and substantially the same dimension as a credit card width, for the reasons that (1) the credit-card size is convenient to store in a wallet or purse for easy portability and access, especially for travel, and (2) as stated in Powers-Kennedy Contracting Corporation et al. v. Concrete Mixing and Conveying Company; Concrete Mixing and Conveying Company V. R.C. Storrie and Company, 7 USPG 122 (1930), a mere change in proportion would involve no more than mechanical skill and would not amount to invention.

As to claims 2 and 14, McDowell discloses an electronic dictionary with the thickness of about a credit card. McDowell does not disclose specifically having a height to width ratio of 2.7:1. Ukita teaches a mobile device for the use of a dictionary (paragraph [0008]) that has the dimensions close to that of a credit card (figure 3).

Given the suggestion in Ukita that the exact dimensions of an electronic dictionary device are not critical to its operation, it would have been obvious to one of ordinary skill in the art to have modified the dimensions of the electronic dictionary taught by McDowell to be "substantially the same dimension as a credit card length and substantially the same dimension as a credit card width, for the reasons that (1) the credit-card size is convenient to store in a wallet or purse for easy portability and access, especially for travel, and (2) as stated in Powers-Kennedy Contracting Corporation et al. v. Concrete Mixing and Conveying Company; Concrete Mixing and Conveying Company V. R.C. Storrie and Company, 7 USPG 122 (1930), a mere change in proportion would involve no more than mechanical skill and would not amount to invention.

As to claim 5, McDowell discloses an electronic dictionary wherein the flexible display is a liquid crystal display (column 2 lines 28-29).

As to claim 6, McDowell does not disclose specifically the use of chargeable spheres having at least two colors. Chargeable spheres having at least two colors is standard technology used with LCD displays. So that they are inherent in the LCD display taught by McDowell (column 2 lines 28-29).

As to claim 13, McDowell discloses an electronic dictionary (abstract lines 1 and 2) configured to fit in a credit card holder (dimensions are substantially similar to that of a credit card, column 2 lines 25-27), comprising: a flexible housing configured to accommodate the flexing of a credit card holder (a semi-flexible thin member is used, column 2 lines 24 and 25, preferably with a sturdy plastic out of Delrin or nylon, column 4 lines 52-54), the flexible housing having at least two dimensions that are substantially the same as that of a credit card (column 2 lines 25-27 and column 3 lines 44-46); a display configured to display a plurality of words (column 2 lines 24-32); and a keyboard configured to receive user letter entries (column 1 lines 54-56).

As to claim 15, McDowell discloses the electronic dictionary wherein the electronic dictionary has a unitary housing and wherein the display is substantially coplanar with the unitary housing surface (figures 1 and 2).

As to claim 16, McDowell discloses the electronic dictionary wherein the electronic dictionary flexes along both its length and height (a semi-flexible thin

Art Unit: 2626

member is used, column 2 lines 24 and 25, preferably with a sturdy plastic out of Delrin or nylon, column 4 lines 52-54; if the housing is made of flexible material, it will flex along any side).

As to claim 19, McDowell does not specifically disclose displaying an image after an applied voltage is removed. It is inherent that in LCD technology applying a voltage does not allow light to pass through the transparent substrates and as voltage is decreased more light is passed through the substrates giving an appearance of different tones and thus creating an image. The voltage method is inherently taught by the LCD display taught by McDowell.

As to claim 24, McDowell discloses the electronic dictionary wherein the electronic dictionary has a width substantially twice that of a credit card (a credit card is 3-4 inches in width and McDowell discloses the width being up to 7 inches (column 3 lines 44-46).

As to claim 25, McDowell discloses the electronic dictionary wherein the keyboard is coplanar with a housing surface (figures 1 and 2).

As to claim 27, McDowell discloses the electronic dictionary wherein the keyboard further comprises navigation keys (figure 4 # 48).

As to claim 28, McDowell discloses the electronic dictionary wherein the electronic dictionary has only six sides (since the housing is unitary there are 2 length sides, 2 height sides, and 2 width side, figure 1 and 2).

As to claim 3, McDowell does not specifically describe using tapered edges. Ukita teaches an electronic mobile dictionary (paragraph [0008] lines 1-3) of which has tapered edges (figure 3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the tapered edges as disclosed by Ukita. Doing so would allow for easy entry of the dictionary into pockets, wallets, and such and also it would be safer than having sharp edges.

As to claims 11 and 22, McDowell does not specifically disclose not including an entry key. Ukita teaches not using an entry key that is used for pressing enter after a word is typed and the user is ready for the dictionary to read it and search for its meaning, in fact the dictionary looks up the words automatically as the user presses the keys so that the user does not have to spell the word out and then press enter (paragraphs [0038]-[0040]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the no enter key method taught by Ukita. Doing so would allow the subject to narrow

down the matching and retrieval results saving time in typing and searching (paragraph [0036]).

As to claims 12 and 23, McDowell discloses the use of abridged definitions (McDowell teaches that around 100,000 word entries are used. It is inherent that 100,000 word entries does not engulf the complete scale of word entries in a specific language like English therefore, the dictionary available to the method of McDowell would have to be an abridged version, meaning abridged definitions).

McDowell does not specifically disclose presenting abridged definitions by the electronic dictionary as a user keys in letters. Ukita teaches not using an entry key that is used for pressing enter after a word is typed and the user is ready for the dictionary to read it and search for its meaning, in fact the dictionary looks up the words automatically as the user presses the keys so that the user does not have to spell the word out and then press enter (paragraphs [0038]-[0040]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the no enter key method taught by Ukita. Doing so would allow the subject to narrow down the matching and retrieval results saving time in typing and searching (paragraph [0036]).

As to claim 17, McDowell does not specifically disclose the electric dictionary having at least a first tapered edge to ease the insertion of the electronic dictionary into at least one of a holder, a wallet credit card slot, and a book. Ukita teaches an electronic mobile dictionary (paragraph [0008] lines 1-3) of which has tapered edges (figure 3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the tapered edges as disclosed by Ukita. Doing so would allow for easy entry of the dictionary into pockets, wallets, and such and also it would be safer than having sharp edges.

As to claim 26, McDowell does not specifically disclose using a touch screen display. Ukita teaches using a touch-sensitive panel at the display that the user can make input operations through touch (paragraph [0047] lines 5-8).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the touch screen of Ukita. Doing so would allow the user to facilitate the input operation process and not just rely on the keyboard so that if a key is broken the touch screen can be used.

As to claim 29, McDowell discloses an electronic dictionary (abstract lines 1 and 2) configured to fit in a credit card holder, comprising: a dictionary housing configured to be inserted into a credit card holder (dimensions are substantially

Art Unit: 2626

similar to that of a credit card, column 2 lines 25-27), the dictionary housing having: a length with substantially the same dimension as a credit card length; a height with substantially the same dimension as a credit card width (column 2 lines 25-27 and column 3 lines 44-46); a display configured to display a plurality of words (column 2 lines 24-32).

McDowell does not specifically disclose a program configured to look-up and present dictionary definitions as a user enters letters. Ukita teaches not using an entry key that is used for pressing enter after a word is typed and the user is ready for the dictionary to read it and search for its meaning, in fact the dictionary looks up the words automatically as the user presses the keys so that the user does not have to spell the word out and then press enter (paragraphs [0038]-[0040]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the no enter key method taught by Ukita. Doing so would allow the subject to narrow down the matching and retrieval results saving time in typing and searching (paragraph [0036]).

As to claim 31, McDowell discloses the electronic dictionary wherein the display includes at least two lines (column 2 lines 29-32).

Art Unit: 2626

As to claim 32, McDowell does not disclose specifically the use of chargeable spheres having at least two colors. Chargeable spheres having at least two colors is standard technology inherently used with LCD displays taught by McDowell.

As to claim 33, McDowell discloses the electronic dictionary wherein the display is flexible (the whole body is flexible since it is one unitary body and if the body is flexible so is the display of which is made from the body of the apparatus, column 2 lines 24-32).

As to claim 34, McDowell discloses the electronic dictionary wherein the housing is flexible (a semi-flexible thin member is used, column 2 lines 24 and 25, preferably with a sturdy plastic out of Delrin or nylon, column 4 lines 52-54).

As to claim 35, McDowell discloses the electronic dictionary wherein the housing is a unitary housing (figure 1 and 2).

As to claim 36, McDowell does not specifically disclose that the credit card holder is a wallet credit card holder. It is inherent that the credit card size dictionary (column 2 lines 25-27) would be used to put in a credit card holder, which includes a wallet credit card holder.

As to claim 37, McDowell does not specifically disclose using abridged definitions. McDowell teaches that around 100,000 word entries are used. It is inherent that 100,000 word entries does not engulf the complete scale of word entries in a specific language like English therefore, the dictionary available to the method of McDowell would have to be an abridged version, meaning abridged definitions.

3. Claims 4, 7, 8, 10, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDowell (US 5,073,054) in view of Salomon (US PGPub 2003/0174072).

As to claims 4 and 7, McDowell does not specifically disclose the use of an organic light emitting diode display. Salomon teaches a method and system for a key-using device (abstract lines 1 and 2) for use in an electronic dictionary (paragraph [0006] lines 4 and 5). The method includes an organic light emitting diode display (paragraph [0008] lines 11-13).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the OLED display of Salomon. Using the OLED display allows for more flexibility and can be comparatively thinner, lighter, more durable, and less

expensive to produce than the traditional glass-based alternatives (paragraph [0034] lines 6-8).

As to claim 8, McDowell does not specifically disclose the use of a display with a flexible substrate. Salomon teaches using an OLED with a flexible substrate (paragraph [0034] lines 1-4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the OLED display of Salomon. Using the OLED display allows for more flexibility and can be comparatively thinner, lighter, more durable, and less expensive to produce than the traditional glass-based alternatives (paragraph [0034] lines 6-8).

As to claim 10, McDowell does not specifically disclose glow in the dark keys. Salomon teaches using keys that include a light source and a transparent cover.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the glow in the dark keys taught by Salomon. Doing so would have allow a user to see the keys of the electric dictionary in a dark environment.

As to claim 18, McDowell does not specifically disclose a glassless display. Salomon teaches using a clear plastic film for the display for the OLED display (paragraph [0034] lines 1-5).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the plastic film for the OLED display of Salomon. Using plastic films allows for more flexibility and can be comparatively thinner, lighter, more durable, and less expensive to produce than the traditional glass-based alternatives (paragraph [0034] lines 6-8).

As to claim 20, McDowell does not specifically disclose the use of a display with a flexible substrate. Salomon teaches using an OLED with a flexible substrate (paragraph [0034] lines 1-4).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the OLED display of Salomon. Using the OLED display allows for more flexibility and can be comparatively thinner, lighter, more durable, and less expensive to produce than the traditional glass-based alternatives (paragraph [0034] lines 6-8).

Art Unit: 2626

4. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over McDowell (US 5,073,054) in view of Yao (US 6,424,984).

As to claim 38, McDowell does not disclose specifically having the dimensions of about 8.5 cm by 5.4cm. Yao teaches having the dimension of "about" 8.5cm and 5.4cm (column 3 lines 25-27). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of McDowell with the dimensions disclosed in Yao. Doing so would allow better for it to be used as a bookmark and placed in credit card holders.

5. Claims 9, 21, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDowell (US 5,073,054) in view of Infanti et al. (US 6,405,910).

As to claims 9, 21, and 30, McDowell does not disclose specifically using a removable clip with the dictionary. Infanti teaches the use of a removable clip for the use of handheld devices such as a PDA, of which have electronic dictionary capabilities (column 5 lines 60-65).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the electronic dictionary of

Art Unit: 2626

McDowell with the removable clip taught by Infanti. Doing so would allow for the dictionary to be clipped on the pages of a book and also other areas preventing it from being easily lost.

Conclusion


Any inquiry concerning this communication should be directed to Josiah Hernandez whose telephone number is 571-270-1646. The examiner can normally be reached from 7:30 pm to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2626

JH



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PRIMARY EXAMINER